Quid Novi

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Dean Brierley Interview

(Continued from last week)

In August, 1982, Dean Brierley consented to an interview with Richard Janda of Quid Novi. This is the second of three parts.

Quid Novi - Do you think that there is something that graduates of McGill's National Programme are uniquely suited to as far as the job market is concerned?

Dean Brierley - I think the double training has been found to be highly relevant to a significant number of people. I can't say the double training has been signifi- cant to everybody — at least with regard to the job market. And, the job market being what it is, these questions, I suppose, become more acute. But there are different levels from which you can approach the idea of the joint program. At an intellectual and academic level, the idea of the program is to show you how another legal system solves problems. And in doing so, you learn something about that legal system, which means learning something about another group of people. But it also helps you to understand your own legal system better. So you have got a better legal mind for solving problems, and you're more imaginative. You're not wearing blinkers. That's very important. And that's why the Chief Justice of the country said, at one time, that a number of his judges should come and take the Foundations of Canadian Law course! That's the hardest law course in the curriculum to teach, as you probably will acknowledge. It's probably the most challenging law course in Canada. I certainly think it's clear that the epposure to the other legal system and, to a greater degree, the full double degree programme gives you these options, which you wouldn't otherwise have. Now it may well be that there are other factors — political, social, economic — that force you to go to one end of the country or another, and not truly exercise the option that you had laid out for yourself. But you know, it's not all one way. There are a number of LL.B. students who come in and take the double degree who end up staying

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The Charter v Bill 101

by Pearl Eliadis

As a first year law student last year, I remember being constitutionally depressed by Mr. Borovoy's pessimistic view of the Charter's courtroom future. He had imparted, at least to my mind, an image of nasty little men, clad in black, huddled together in candle-lit rooms to scuttle any judicial impact the Charter could ever have. In all fairness, the human rights gloom and doomers had some basis for anxiety. The track record of our courts is some cause for concern. On the other hand, protecting human rights with contrived twistings of divisions of power is hardly conducive to a dignified constitutional history. But even after the Charter, we were told, things aren't going to change much. We were told that the "reasonable limits" test leaves the door wide open for atrocities of all sorts. Reasonable torture, reasonable writs of assistance, and so on. Many Charter detractors sunk in the "reasonable limits" quagmire without thinking that maybe, just maybe, our judiciary have the capacity to see beyond the literal meaning of section one.

If Deschênes C.J.'s judgement, handed down last week, is any indication of how things will go, we can all look up. Wa-a-ay up. The famous dicta of Alberta Press and Switzman can toddle off to that Implied Bill of Rights in the sky, for all they will be needed.

Briefly, the case involved a conflict between article 23 of the Charter (language of instruction) and the analogous provisions in Bill 101. The court was asked which of the two should prevail.

In order to reach his decision, Deschênes C.J. first examined whether the conditions of s.24 of the Charter had been fulfilled; that is, whether the rights or freedoms of the Charter had been infringed or denied, and whether the request for a declaratory judgement was an appropriate remedy. There was some difficulty as to the tense of the case, since the English version specifically refers to rights that have already been infringed or denied, whereas the French version is more conducive to the broader meaning, that is, apprehended or future infringements.

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Deschênes C.J. went on to say that in the light of the recent Borowski case, that standing would probably be granted anyway in the case of apprehended infringements of rights. An extract from Prof. Hogg's as yet unpublished manuscript went so far as to say that "it is probable that the court could grant remedies which were not within its usual jurisdiction. Conceivably, totally new remedies could be invented." Regardless, Deschênes C.J. continued, the situation is not in the future, but very much in the present, given Camille Laurin's published declaration of May, 1981, that "no legal document, regardless of its source, shall prevail against (Bill 101)." Once the applicability of section 24 had been established, it was next necessary to determine the scope of interpretation of the Charter. After giving a token no to precedent, Deschênes wrote, "There can be no hesitation in giving the Charter the large and liberal interpretation it deserves...".

Section one of the Charter applies generally to the entire charter:

> The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

Section 23 is not excluded from its effect, in spite of the specificity of the latter provision. It was upon section one that the Minister of Education and the Procureur-Géneral of Quebec relied, arguing that the clear and unambiguous formulation provided a "loophole" through which governments could restrict rights. Deschênes C.J. agreed. Section one of the Charter is clearly meant to apply to the whole Charter, but it was up to the Government to shoulder the burden of proof since they themselves were claiming the benefit of the section. In other words, Deschênes C.J. asked, is Bill 101 a restriction (provided for in section one) or a negation of minority language rights? The distinction is paramount, the fundamental cornerstone of the judgement. If Bill 101 was deemed to abrogate minority language rights, then it would come within direct conflict with s.23 of the Charter, and the Court would have to declare it ultra vires. The distinction between prohibition and restraint, however, is not as simplistic as one might originally think. The Government, citing Justice Anglin in the Toronto City v. Virgo case, argued that "...every power to regulate necessarily implies power to restrain the doing of that which is contrary to the regulation authorized, and in that sense and to that extent involves the power to prohibit." Therefore, argued Quebec, Bill 101, in prohibiting certain groups from attending English schools, was merely regulating the entire system, hence falling within the framework of section one of the Charter. Deschênes C.J. rejected this argument, saying that if the text of section one had only used the word "restriction", then Quebec's argument might have held water. It would take a rather large leap of faith, however, to equate the words "reasonable limits" with "prohibition".

Quebec had yet another argument, though, which caused greater difficulty. It was submitted that the rights of minority groups guaranteed by section 23 of the Charter are not individual rights, but collective rights. Since Bill 101 only restricts the rights of certain individuals who form the minority of the collective, Bill 101 can only be characterized as restrictive and not prohibitive vis à vis the collective of Quebec society. An overview of the Charter reveals that section 23 speaks of the "linguistic minority population", which refers to a collective, but then goes on to speak of "the first language learned and still understood", which refers to the rights of the individual. Similarly, other expressions used in sections 23 and 24 do not clarify the problem. It then became necessary to examine the exact meaning of "collective rights". Following an examination of doctrine, Deschênes C.J. concluded that the collective rights of minority groups are exercised individually, and that the recourse for their infringement (as provided by s.24) is individual as well. Even though the rights are conferred collectively, therefore, for the purposes of unwarranted or speculated infringement of these rights, they are within the category of individual rights. Writes Deschênes C.J., "C'est aux individus, citoyens canadiens et membres d'une minorité, que la Chartre reconnaît des droits en Matière de langue d'instruction; c'est à ces individus qu'elle ouvre la porte des tribuneaux en cas de violation de leurs droits." Quebec further argued that collective rights must only be seen from the point of view of the collective, regardless of any inconvenience to an individual who happens to form part of the minority. The right of that individual is not negated then, but only restricted. Deschênes C.J.'s response to this is nothing short of magnificent (the reader is asked to pardon the layman-esque enthusiasm of the author!):

"La Cour s'étonne, pour employer un euphémisme, d'entendre cet argument de la part d'un gouvernement qui se flatte de maintenir en Amérique le flambeau de la civilisation française avec sa promotion des valeurs spirituelles et son respect traditionnel de la liberté. En effet, l'argument du Québec fait état d'une conception totalitaire de la société à laquelle la Cour ne saurait se rallier. La personne humaine est la plus grande valeur que nous connaissions et rien ne doit concourir à diminuer le respect qui lui est dû. D'autres sociétés placent la collectivité au-dessus de l'individu... Cette conception de la société n'a pas encore pris racine chez nous-même si certaines initiatives politiques paraissent parfois la courtiser dangereusement — et cette Cour ne l'honorera pas de son approbation."

Having characterized the "Quebec-clause" as a negation of rights, rather than a restriction, Deschênes declared it ultra-vires the Quebec Government.

To conclude, an excerpt from Deschênes C.J.'s judgement stands out as cautionary note in all such judgements where conflicts encompassing social, political and legal factors are to be evaluated in the light of our new Charter of Rights: "Ce chemin n'a jamais été tracé ni cette route, balisée. Par beau temps, la tâche serait déjà difficile; mais il faut par surcroît tenter cette première expédition par un temps d'orage."

CONTINUED NEXT WEEK

Interview: Eric Maldoff

In August 1982, Eric Maldoff, President of Alliance Quebec, consented to an interview with Brian Mitchell of Quid Novi. It was felt that information about this new organization would be of interest to McGill law students.

Quid Novi - What is the purpose of Alliance Quebec? What were the perceived needs of the English-speaking community which Alliance Quebec hoped to articulate more clearly?

Eric Maldoff - The most important purpose of Alliance Quebec is to establish a vehicle through which the English community — English-speaking Quebecers — can get together and identify their concerns and act in concert to see to it that their concerns are understood and met within Quebec society. One of the problems we have had as a community up to now is that we have been under serious pressure through a succession of Quebec governments and we have had no mechanism through which to explain our position and through which to enter into the process of formulating public policy and influencing public opinion. Consequently what we have attempted to do is establish a province-wide grassroots organization —which is what we have done; an organization which has democratically elected leadership. This is a very important part of the process of changing public opinion because it establishes the legitimacy of the spokesmen of the group and avoids the criticism that they are self-appointed leaders. We have developed our policy not by a unilateral fiat issued from a small group of people, but, rather, we have had our policies vetted by a large number of people. Each position has been considered in each region of the province by a large number of people and then reconsidered again at our policy convention, and then voted upon. In this way, our organization is able to speak with credibility to the people of Quebec and to the government of Quebec.

Quid Novi - It has been suggested that Alliance Quebec merely reflects the voice of the anglophone community here in the Greater Montreal region. How representative of the anglophone community here in Quebec is Alliance Quebec?

Eric Maldoff - I think that we are very representative of the English-speaking community of Quebec. We have, first of all, the only organization that is genuinely province-wide and focused on the concerns of the English community. Our structure involves the setting up of regional organizations which are, in turn, members of Alliance Quebec. We have twenty regional organizations right across the province. For example, groups have been formed in the Gaspé Bay, Eastern Townships, Quebec City, Chateau Guay, South Shore, Pontiac, Hull, and Montreal. Plus the fact that we also have as members special interest groups and institutions that are involved with our community. We have most of the educational institutions such as some of the CEGEPS, Concordia University, the English-speaking hospitals, the Social Services, teachers' unions, and the School Boards. Just about any institution or association that is an important player in the English-speaking community is an affiliate of Alliance Quebec. So, with over 50,000 members, I would think we are broadly representative of the concerns of active people in our community.

Quid Novi - Is there not a danger that Alliance Quebec will isolate the anglophone community from the wider political process in Quebec? Would it not be better if anglophones got involved in the wider political process through either of the major political parties — the Parti Quebecois or the Liberal Party — to obtain their objectives?

Eric Maldoff - The message that Alliance Quebec is carrying is not an "English" message, but a "Quebec" message. A message that is about the future ot Quebec; the nature of Quebec society and the types of accomodations that are necessary on both sides of the linguistic line, or barrier, if we are to establish linguistic peace here in Quebec and get on with much more important tasks like the economy and the development of our culture. In that context Alliance Quebec is serving as a spearhead and an animator of that process. Our intention is to involve the English-speaking people in the political process and in the mainstream of Quebec. Most of the positions that we are taking are positions that would try to force open doors which are now currently closed to English-speaking Quebecers; for example, increased representation in the public and parapublic sectors. We are there to apply pressure to both political parties, that is to say both of the major political parties on the Quebec scene. We are a vehicle which we hope will cause the entire political process to involve us and to be responsive to our concerns. Certainly the established policy and the leadership of Alliance Quebec has no intention of allowing Alliance Quebec to become yet another refuge or another barrier to social peace in Quebec. One of the themes that the Quebec government — the PQ government — has worked on for so long is the need to withdraw and build barriers to protect oneself. Our message is really the opposite: that we are a strong community; not only the English community but the entire Quebec community is a strong community and we should be open and expansive to the world. That is the message that Alliance Quebec is carrying to the Quebec community. It is a fine line to tread but our focus is clearly to integrate ourselves into the overall structure of Quebec society.

CONTINUED NEXT WEE

Dean's Reception

The Dean regrets to announce that the Reception cannot be rescheduled for another date. Friday, September 17 corresponds to the first day of Rosh Hashanah. Apologies are once more extended.

Lecture on the Courts

All first year students are invited to attend Prof, Scott's annual lecture on the Court system in Canada. It will take place on Friday, September 17 at 4:00 pm in the Moot Court.

Quid Novi

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Editorial

What are the issues?

Perhaps the most important thing that happened in the faculty last year did not even take place when students were around. I'm referring to the University Review of the Faculty of Law, which took place at the beginning of the summer. The results of this review, which are expected soon, will in many ways determine the future direction of the faculty. And this does not only mean its financial direction. This means its academic direction as well.

Principal Johnson of McGill has decided that every five years, each of the university's faculties should be reviewed to determine that faculty's viability. It seems certain that some of the university's programs will be cut so that money can be recirculated into the most successful programs. As the interview with Dean Brierley in last week's Quid Novi revealed, the Faculty of Law is hoping to gain rather than lose in this review process. Indeed, the Dean volunteered to have our faculty undergo the first review. This demonstrated great confidence.

The five members of the Review Committee were: D. Soberman, Professor of Law and former Dean at the Faculty of Law, Queen's University; H. Mintzberg of McGill's Management School; J.R. Mallory, Professor of Political Science at McGill; Vice-Pricipal S.O. Freedman; and M. Johansen, Administrative Assistant to the Vice-Principal. The questions they asked faculty members and student representatives on the LSA covered everything from the library's budgetary problems to the rapport between particular professors and students. The faculty prepared perhaps the most far-reaching report in its history setting out its future objectives and present position. When the Review Committee finally presents its Report and recommendations, it promises to deal with virtually every aspect of the school's operation.

The fallout from the Report will therefore be immense. It is safe to say that we are entering a period when many decisions will have to be made quickly. If the faculty does receive more funds, as the Dean hopes, decisions will have to be made about the allocation of those funds. If the faculty does not receive more funds or even, heaven forbid, gets stricken with more cutbacks, decisions will have to be made about what to sacrifice.

Either way, students are vitally implicated in this decision-making process. Although faculty members must assess their priorities, students must draw attention to what the priorities are from their point of view. What about french sections of classes, for example? What about the possibility of spending money to establish teaching fellowships that would cut down on student-run tutorials? What about building new facilities? A whole host of choices are to be made and students must be ready to offer their views. Not only do we pay part of the bill. We make the institution possible and bring it to life through our participation. And we may have innovative answers to offer.

It is in this light that a vote taken by the Faculty Council last year takes on even greater significance. Faculty rejected a proposal to increase student representation. When students first achieved voting representation on Faculty Council, the ratio of professors to students was 4:1. Now the ratio is more like 8:1. With important votes upcoming, the ability of students to participate in the decision-making process is seriously limited. And, perhaps more importantly, the development of a concerted approach to the issues that face the school remains out of reach as long as an "us against them" attitude prevails. Student representation remains an issue because of the wider issues facing the school. And those demand the attention of students and faculty together.

Richard Janda

American Corner: A Conservative American

(Continued from last week)

There is no question that the ethical and moral dimensions of abortion have animated Charles Rice's own efforts in legal work on the issue. Rice abhors the Roe v. Wade decision which appears to depersonalize the foetus. Roe v. Wade, in fact, turned on whether the foetus was to be defined by the Court as a person within the language of the Constitution. As the majority argued, "If this suggestion of personhood is established, the appellant's case of course collapses, for the feotus' right to life is then guaranteed specifically by the Amendment [14th Amendment]." For Rice and many others this approach of the Court was a fundamental attack on the link or natural correspondence between humanity and personhood. This depersonalization has proceeded dangerously far, according to Professor Rice. Just recently in his own state of Indiana the extent of this erosion between humanity and personhood was revealed. In an unreported case known as the Bloomington Case, a young baby was allowed to starve to death while two levels of state courts upheld the parents' authorization not to feed the child, who had an esophagus not fully attached, and who suffered from Down's Syndrome.

Yet Rice's opposition springs from an equally powerful legal and constitutional motivation. His position is that the Court has become too powerful and appropriated functions and power beyond what the Founders ever envisaged for the Supreme Court in the Constitution. Roe v. Wade is but one example of the legislative power adopted by the Courts in what appears to him and others as extra-constitutional authority. The twin motives to halt the depersonalization decisions by the Courts and to strengthen the separation of powers, thus breaking judicial power, have been powerful incentives for Charles Rice. They

Certainly the most familiar is the effort directed by Helms and Hyde to pass a Constitutional amendment known as the Human Life Amendment. The Amendment would state that all human beings are persons with respect to the right to life for purposes of the 14th Amendment without regard to such characteristics as age or health. But, as Professor Rice candidly admits, the requirement of a 2/3 majority in both Houses reduces the likelihood of its quick passage.

The second constitutional strategy that has been devised is statutorial but concerns the 14th Amendment once again. The so-called Human Rights Bill would state that all human beings are persons. Its power over the Courts derives from s.5 of the Amendment. What this section states is that "The Congress shall have power to enforce, by appropriate legislation, the provisions of this article." Rice and others believe that this legislation is constitutional and will, when received by the Court, be upheld, thus effectively limiting the Courts scope in the abortion area and leading to a reversal of Roe v. Wade. Notwithstanding its ultimate impermanence, the decision would have the same effect as a constitutional amendment.

As to the likelihood of its passage, Professor Rice is cautious, yet not unhopeful. As with many things in the U.S. Congress it is dependent on timing, logrolling and reciprocal commitment. Says Professor Rice, "Senator Baker has agreed with Professor Helms to press forward with the legislation on the Senate floor." On the floor Helms would attach it as a rider to a bill already passed by the House, possibly the debt ceiling bill. The choice of this course is important. The result of this would be to allow the House to accept an amendment calling on the House membership to accept the Senate version of the Bill passed. Such a move would avoid Congressman Edwards (D. California), whose committee would likely block passage of the amendment in the House. Yet obstacles in the Senate remain, most notably a possible filibuster which would require 60 votes to break. The trick here would be to attach it to such a pressing bill, so as to avoid a serious filibuster by opponents.

A third major course of action, and probably the most intriguing from a constitutional point of view, is to employ the little-used "Exceptions Clause" of the Constitution. As Professor Rice sees it, this action is really a stop-gap or damage control measure. Its passage is unlikely in part because the legislators are so wary of such a seldom-used element of the Constitution. In fact most were not even aware of it when their attention was drawn to it.

Still, the Exceptions Clause appears to be a bona fide constitutional strategy and speaks directly to the separation of powers. It can be found in Article 3 Section 2 of the Constitution. The section reads: "In all other cases before-mentioned, the Supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions and under such Regulations as the Congress shall make." This provides, in the mind of Charles Rice and legislators like Helms and East, the Congressional authority to remove the appellate jurisdiction of the Supreme Court over abortion. This would provide a "surgical strike" on the Supreme Court's authority in this area as Professor Rice sees it.

The result, as Charles Rice readily admits, is likely to leave appellate jurisdiction in the State Supreme Courts. As he concedes, this is no guarantee of ending abortion, but if it means a proportion of states overthrow or ignore Roe v. Wade, then the efforts would be worth it according to him. And, as he sees it, if the use of the Exception Clause would have a salutory effect on legislators by striking at what he regards as the dubious assumption by most of them that the finality of Constitutional authority lies with the Court.

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right here in Quebec. Another interesting phenomenon , and it's just a passing remark, is that there is a noticeable group of people who, with the double degree, are, perhaps sadly, going to the Bars in the U.S.A..

But the job market is a very hot issue in a way. Everybody's asking "Are there too many lawyers?" I'm not sure that I'm at the right vantage point to answer that question. Law has always constituted, and I think it must continue to constitute, not only a preparation for practice but a general education, superadded to whatever you have done before. And I think it unquestionably remains valid as such. We have always said that about McGill. And I hope we always continue to say it. I guess, in terms of the job market, however, that there is going to be a generation of students, and your group is not the first group, which is going to have to be more imaginative about what they do with law training than was traditionally the case. But society is changing, and there are all kinds of needs for lawyers that there weren't even 15 years ago.

Quid Novi - Can you name a few?

Dean Brierley - Well, the one that comes immediately to mind is Legal Aid. It may be that it's nobody's ambition as a graduate to go and work for Legal Aid. But Legal Aid didn't exist 15 years ago. That's just one example. Law training has traditionally been of value, of course, to people going into business or government.

Quid Novi - Do you think that there is a sizeable population of the McGill graduating class that goes on to use both degrees in the course of its work — in other words, is exposed both to common law and to civil law?

Dean Brierley - There is a substant substantial number of graduates working in the United States, whom I referred to a moment ago, who use it all the time. There are graduates practising common law in Montreal; either for firms or for companies. It's a very difficult matter to keep tabs on people. So much depends on the kind of place you end up in. If you're working for a collection firm in Mississauga, you're not going to need a very great expertise in the Quebec law of inheritance. And nobody would pretend that you do.

Quid Novi - How do you see the role of students in the Faculty? How do they fit into the running of the school?

Dean Brierley - Well, as you know, there are different views on the matter — amongst students and staff, I might add. I don't think that there are any monolithic positions on the part of either group. I have talked to students who don't think that students have any business participating in faculty government. And we all know that there are elements of staff who feel that students should have an expanded role in faculty government. The facts are, first of all, that students are represented on all faculty committees. I'm not certain you can say as much of any other faculty at McGill. Now their role may differ slightly from committee to committee. But there is not one faculty committee that doesn't have a student on it.

Quid Novi - What about the Tenure Committee?

Dean Brierley - But that's not a committee of the faculty. That's a committee of the University. You didn't get me on that one! And, of course, as you know, students sit on Faculty Council, and they can participate, then, in the shaping of policy. That's a good thing. I welcome that. The question, of course, which has been the centre of much attention around the school lately is the numbers question. I think that warrants yet another fresh examination in which I am going to participate, which I haven't done until now. There are, on the other hand, elements of opinion, as much among students as among staff I would think, that perhaps a more valid form of student participation in the school is in all the other things students do. It is true that the degree to which students have been implicated in a host of faculty activities is really quite phenomonal, this past year particularly. I think that's very healthy. I don't think it's appropriate at this moment to discuss numbers — how many people should be on what. But we'll take a fresh look at it. So I think the short and sweet answer to your question is that student participation is welcome. At the same time, one has to remember that the vantage point of each sector, students and faculty, is perhaps a little bit different because some of us stay here for our professional careers and other people are passing through. So inevitably there's a different perspective. It doesn't mean the goals can't be the same. But the analysis made of individual problems or issues may be different as a result of the vantage point.

Quid Novi - You alluded earlier on to the fact that partly financial considerations have led to problems with faculty being able to participate in a number of things around the school. I suppose it's fair to say that there are elements of opinion that students are doing a lot of things around the school, like bringing in speakers or organizing special events, and that, from time to time, it's difficult to get faculty involvement. Do you foresee that this problem may be solved in part if some of the financial problems are dealt with?

Dean Brierley - Oh well I hope so. As I said earlier, I don't think the resource base is the whole answer to every issue that's facing this school or any other school. But it's part of it. I think, frankly, that there are instances among our personnel here of people who are simply overworked. You've got to remember that part of what impinges upon us here is a lot of external stuff which you don't know anything about — demands on time for professional activities and for participation in university government at all levels. We're really understaffed here. And we're cramped and crowded. I know occasionally there is some reluctance to participate fully in a number of activities. But at the same time, there are activities in which the students are very jealous, and perhaps rightly so, of their managerial role. I think if there were a real feeling that

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"Gee, we the students are doing something that the professors should be doing and we're going to chuck the Moot Court Board", I should think I would be one of the first to hear about it. I'm not aware of that attitude. If it exists, let them come in and tell me. My impression is that students are anxious to participate, and they are participating. There are certainly things which could not go ahead as fully as they do if they didn't participate. The Bookstore is an excellent example. The Bookstore has been a phenomenal success. And may it stay that way.

Quid Novi - But there is a sense that sometimes things are difficult to get off the ground in the school given the level of faculty involvement.

Dean Brierley - Well, that's fair. It could not be denied. But I think you must hear both sides. There are often many reasons why someone has not been quite so enthusiastic about something as you might have hoped.

NEXT WEEK: PART THREE

The Moot Court Board takes great pleasure in announcing the commencement of the advanced mooting program. This year we require participants for the Gale Cup, the Bar Prize Moot, the Jessup Moot, and the Interfacultaire Moot. Note that the Faculty awards credits as compensation for your time. The interested law student should be aware that these are competitive moots. Consequently, the selection process, which will occur on Saturday, 25 September, will allow the applicants to shine in all their morning glory, for approximately 15 minutes before a bench composed of one law professor, one member of the Barreau, and one veteran member of these competitions. The factum will be supplied to the applicants well in advance of the run-off, so that they may avoid time-consuming research. Sign-up sheets are to be found in the basement on the Moot Court Board board.

Message from the Vice-President, University Affairs, of the LSA

From time to time I will be writing to keep you in touch with the activities of the McGill Students' Society (or Studsoc as it is known affectionately in McGill-speak), as well as its Council. However, I thought I would start by giving a brief overview of the Society and Council.

As it is structured, the society is a recent creation. Because of a financial collapse in 1975, the Society was placed in trusteeship for two years, during which time there were virtually no student activities on campus. To ensure that this would not happen again, three full-time paid Directors were appointed tohelp oversee the Society's activities. The Executive Director (a post vacant at this time) is the chief staff member. The Comptroller (Jon Shifman) is in charge of financial matters, while the Program Director (Earle Taylor) is iadvisor for major Society sponsored activities. While there can at times be conflicts between the "managers" and Council, there are many advantages to having Directors; not the least of which is continuity. Furthermore, Council has the final say.

Council, that is the body of elected student representatives, is the ultimate governing authority of the Society. All students elect a President (Bruce Williams), a Vice-President, Internal Affairs (Bruce Hicks), and a Vice-President External Affairs (Benjie Trister). At the second meeting of a new, Council (held in April), the Councillors elect from among themselves a Vice-President, University Affairs (Peter Dotsikas)and a Vice-President, Finance (David Sinyard). These five people form the Executive Committee, which looks after the day-to-day business of running the Society. The Council is made up of the Executive Committee, representatives from the faculties and schools, three representatives from Society-recognized clubs, and one representative from the residences. There is an ongoing attempt to have faculty reps, such as myself, sit on faculty Student Association Executives. It is hoped that this will result in more integration and co-operation. While this has been done by the Law faculty (hence my position on the LSA Executive), it has not yet been done by other faculties. Council meetings are open. For date and location look for the "Council" squares on the room allocation board across the hall from Sadie's in the Union Building. Whenever possible, agendas of upcoming meetings and minutes of past meetings will be posted on the LSA notice board across from the cafeteria in the basement.

There you have it; the Society and its Council in a rather large nutshell. Remember, you are all members of the Society, and to get something out of it, you have to be prepared to put something into it. That's all until next week.

Tim Baikie

P.S. There are a number of positions open on Senate and Society Committees. Check the LSA notice board for a list of positions and contact persons. Nominations must be in to the Society office in the Union Building no later than 4:30 on Friday. I encourage everyone to take this opportunity to find out what McGill is all about.

Student Support Group

First year students who are having difficulties with their tutorial assignments or who are otherwise confused should drop by the Student Support Group office, Rm. 53 Old Chancellor Day Hall, or contact one of the members on call each night.

List of names and phone numbers of SSG people on call:

Sept. 16	Marek Nitoslawski	932-0637
Sept. 17	(after 8 pm) Elissa Bernstein	488-2156
Sept. 18	T.B.A. see room 53 door	
Sept. 19	(after 5 pm) Sharon Speevak	488-5094
Sept. 20	Fran Boyle	288-8752
Sept. 21	Erika Rosenfeld	843-7124

LSA Election Information

Nominations are open for the following positions: Treasurer; Class President BCL 1; Class President LLB 1; Class President BCL 2; Class President LLB 2; Class President BCL 3; Class President LLB 3; Class President BCL & LLB 4.

1. Students interested in running for one of the above positions must complete a nomination paper in the following manner:
a) The nomination paper must read: We, the undersigned, nominate X for the position of X for the 1982-1983 academic year.
b) Nominations papers for the position of Treasurer must be signed by 20 students. 10 students must sign in the the case of the other positions.
c) Those who sign must indicate their program and year.
d) Nomination papers must be handed to Anna Chang, the Chief Returning Officer, no later than 5 pm Friday September 17 at the SAO.

2. Campaigning shall begin no earlier than 5 pm Friday September 17 and shall end at 11 pm Tuesday September 21, by which time the candidates must remove all signs.

3. Balloting shall take place on Wednesday September 22 between 10 am and 5 pm. Voters must have ID cards. The ballot box will be on the first floor outside the Moot Court.

4. For details as to what each position involves consult the LSA ntice board outside the cafeteria,

Anna Chang
Chief Returning Officer

Peter Blaikie to speak

Forum National is pleased to announce its first event of the year. On Tuesday, September 21, Peter Blaikie, President of the Conservative Party of Canada, Gold Medalist graduate from McGill Law School, and a lawyer well-known to students for the Blaikie case, will speaking on Quebec's place in Confederation. This will take place at 1:00 pm. in the Moot Court. All are welcome.

Take Back the Night

Women interested in being marshalls and legal advocates at the "Take Back the Night" march on Friday, September 17, are invited to come to a meeting on Thursday, September 16 at 1:00 pm. in room 202.

Quid Novi Announcement

Quid Novi welcomes articles, letters to the editor, and notices of coming events. Please submit what you have by Friday for publication in the following Wednesday's paper. The Quid Novi office is in the bottom of old Chancellor Day Hall beside the LSA office and the Bookstore. Meetings will be held every Monday in the Common Room.

Le comité de rédaction vous invite à contribuer au Quid Novi en nous faisant parvenir des articles, des lettres au Quid Novi, ainsi que toute annonce concernant les activités à venir. Nous nous prions de les soumettre avant le vendredi de la semaine précedant la publication du journal. Le bureau de Quid Novi se trouve au sous-sol de vieil édifice de Chancellor Day Hall à côté du bureau du LSA. Les réunions se tiendront tous les lundis à 1:00 pm. dans le "Common Room".

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have led him on the issue of abortion to support three remedies; some well known, some not so well known.

What appears to some as constitutional tampering is politely brushed aside, and the real issue fastened on, as Charles Rice sees it, is a war to end the killing that consumes the population of Kansas City, Miami and Minneapolis each year. As he says, he must do everything he can by legitimate means. If the strategy works, the system will be no worse off than it is now and it has the advantage of teaching the Supreme Court a lesson. For Charles Rice, it is the Congress and not the Supreme Court that should set the public agenda.

As reflected in Professor Rice's comments, the battle is over the hearts and minds of the American people. Whatever one thinks of the merits of the issue, be assured that dedicated men and women pursue their objectives legally and with great passion on both sides.

Alan Alexandroff

Law Journal

Upper year students interested in working on the editorial or management board should submit their C.V.'s by Friday, September 17.